ORDINANCE NUMBER 1112

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, APPROVING THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF PERRIS AND JOHN REICHEL TO IMPLEMENT THE DEVELOPMENT OF TENTATIVE TRACT MAP 31114 LOCATED WEST OF REDLANDS AVENUE, BETWEEN METZ CHANNEL AND JARVIS STREET, AND TENTATIVE TRACT MAP 31201 LOCATED EAST OF THE SANTA FE RAILROADS BETWEEN MIDWAY STREET AND ELLIS STREET (DEVELOPMENT AGREEMENT 03-0049)

WHEREAS, John Reichel, the applicant, has requested a Development Agreement to implement the development of Tentative Tract 31114, a 12.6-acre site consisting of 103 single-family homes in the R-14 zone located west of Redlands Avenue, between Metz Channel and Jarvis Street, and Tentative Tract 31201, a conceptually proposed single-family home development of approximately 130 homes on 13.6 acres in the R-14 zone located east of the Santa Fe Railroads between Midway Street and Ellis Street in the Downtown Specific Plan; and

WHEREAS, on February 25, 2003, the City Council conducted a legally, noticed public hearing on the Development Agreement and considered testimony and materials in the staff report and accompanying document and exhibits; and,

WHEREAS, on March 19, 2003, the Planning Commission conducted a legally, noticed public hearing and determined that "the provision of the development agreement are consistent with the general plan and any applicable specific plan (Downtown Specific Plan)" pursuant to California Government Code Section 65867.5. (b) of the Planning and Zoning Law; and

WHEREAS, the City has complied with the California Environmental Quality Act; and,

WHEREAS, all legal prerequisites for the adoption of this Ordinance have occurred;

NOW, THEREFORE, THE CITY COUNCIL HEREBY ORDAINS AS FOLLOWS:

Section 1. The above recitals are all true and correct.

Section 2. The City Council has reviewed and considered the information and determined that the proposed Development Agreement will not have a significant adverse effect on the environment; Impacts to development in the downtown are addressed by the

Environmental Impact Report, SCH No. 92062099 for the Downtown Specific Plan. Tentative Tract Map No 31114 will be approved subject to a Negative Declaration No 2122. No. new information or impacts have been identified that would require a subsequent or supplemental Environmental Impact Report or Negative Declaration. Therefore, pursuant to Section 15162 of the California Environmental Quality Act Guidelines the project does not require any further environmental review or Negative Declaration.

Section 3. The City Council ***HEREBY FINDS AND DETERMINES THAT:***

A. The proposed Development Agreement is consistent with the applicable General Plan objectives, policies, general land uses, and programs.

B. The proposed Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use district in which the real property is located.

C. The proposed Development Agreement is in conformity with and will promote public convenience, general welfare and good land use practice.

D. The proposed Development Agreement will not be detrimental to the health, safety and general welfare.

E. The proposed Development Agreement will not adversely affect the orderly development of the property or the preservation of property values.

F. The proposed Development Agreement will promote and encourage the development of the proposed project by providing a greater degree of requisite certainty.

Section 4. Approval. The Development Agreement, a copy of which is attached hereto as Exhibit "A", is hereby approved. The Mayor and City Clerk are authorized to execute and deliver the proposed Development Agreement on behalf of the City.

Section 5. Recording. Pursuant to California Code Section 65858.5, the City Clerk shall record with the County Recorder of the County of Riverside a copy of the Development Agreement within ten (10) days after the Agreement is executed on behalf of the City and John Reichel.

Section 6. The Mayor shall sign and the City Clerk shall certify passage and adoption of this Ordinance, and shall cause the same to be published and posted pursuant to the

provisions of law in this regard, and this Ordinance shall take effect thirty days after its final passage.

Attachments:

Exhibit "A": Proposed Development Agreement

ADOPTED, SIGNED and ***APPROVED*** this 25th day of March, 2003.

_____

Mayor, Daryl R. Busch

ATTEST:

_____

City Clerk, Margaret Rey

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) §
CITY OF PERRIS)

I, Margaret Rey, CITY CLERK OF THE CITY OF PERRIS, CALIFORNIA, DO HEREBY CERTIFY that the foregoing Ordinance Number 1112, introduced at a regular meeting of the City Council of the City of Perris held on the 25th day of February, 2003, was duly and regularly adopted by the City Council at a regular meeting thereof held on the 25th day of March, 2003, and that it was so adopted by the following called vote:

AYES: Rogers, Yarbrough, Landers, Motte
NOES:
ABSENT: Busch
ABSTAIN:

_____
City Clerk, Margaret Rey